

HONORABLE MICHELLE PETERSON

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

NANNETTE BASA, an individual,

Plaintiff,

v.

BRAND SHARED SERVICES, LLC, a
Delaware corporation,

Defendant.

Case No. 2:21-cv-00754 JLR

DECLARATION OF KAREN RIAPOS IN
OPPOSITION TO PLAINTIFF'S
MOTION FOR SANCTIONS FOR
SPOILIATION OF EVIDENCE

HEARING DATE:
October 7, 2022

I, Karen Riapos, hereby declare:

1. I am Defendant Brand Shared Services, LLC's ("*Brand*") Director of Talent Acquisition. I am over the age of eighteen and competent to testify in this matter. I base this declaration on my personal knowledge. I have been working with Brand's counsel on this case since we first learned of the litigation filed by Plaintiff Nannette Basa ("Plaintiff").

2. At my deposition, I mistakenly testified that I had not been asked to search my phone for text messages related to Plaintiff and the issues in this case. That testimony was incorrect: I forgot that I *had* been asked to search my phone and that I had done so.

3. I searched my phone for text messages related to Plaintiff and the issues in this case both before my deposition and again afterwards. I have not found any text messages that

DECLARATION OF KAREN RIAPOS IN OPPOSITION TO PLAINTIFF'S
MOTION FOR SANCTIONS FOR SPOILIATION OF EVIDENCE - 1
(CAUSE NO. 2:2-CV-00754 JLR)

SEYFARTH SHAW LLP
999 Third Avenue
Suite 4700
Seattle, WA 98104-4041
(206) 946-4910

1 are responsive to Plaintiff's requests for production. I did not destroy or otherwise remove any
2 text messages I had about Plaintiff. When she worked for Brand, I communicated with Plaintiff
3 primarily via electronic mail. I also spoke with her during the time period in which I supervised
4 her performance. We did not send text messages.

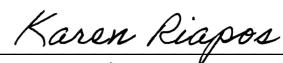
5
6 4. Similarly, I did not send text messages with other people about Plaintiff. I did not
7 send text messages to Nicole Norris, or Ryan Wilson about Plaintiff. I do not recall having
8 exchanging any communications with Nicole Norris or Ryan Wilson about Plaintiff (either by
9 email or verbally). They were all my direct reports and I would not have been sending messages
10 to them about one of their colleagues.

11
12 5. I also did not send text messages to Rod Broschinsky or Michelle Roman about
13 Plaintiff. While I had a cell phone provided by Brand, I did not use text messages to
14 communicate with my colleagues. I used email, the Teams messaging system, and I spoke with
15 people either in person or on the phone.

16
17 6. I helped look for a physical file that my former coworker Rod Broschinsky kept
18 related to Plaintiff. I conducted a diligent search but, despite my best efforts, I have been unable
19 to locate the physical file.

20 I declare under penalty of perjury under the laws of the United States of America that the
21 foregoing is true and correct to the best of my knowledge.

22 Signed in Kennesaw, Georgia this 3rd day of October, 2022.

23 

24 Karen Riapos

25 Director of Talent Acquisition for Defendant Brand Shared Services

26 DECLARATION OF KAREN RIAPOS IN SUPPORT OF
DEFENDANT'S OPPOSITION TO PLAINTIFF'S
MOTION FOR SANCTIONS FOR SPOILIATION OF EVIDENCE - 2
(CAUSE NO. 2:21-CV-00754 JLR)

CERTIFICATE OF SERVICE

I hereby declare that on this 3rd day of October, 2021, I caused a copy of *Declaration of Karen Riapos in Support of Defendant Brand Shared Services, LLC's Response in Opposition to Plaintiff's Motion for Sanctions* to be electronically filed with the Court using ECF-Filing system which will send notification of such filing to the following:

Alexander J. Higgins
Law Offices of Alex J. Higgins
2200 6th Avenue, Ste. 500
Seattle, WA 98121
P: (206) 340-4856
alex@alexjhiggins.com

Cody Fenton- Robertson
Bean Law Group
2200 6th Avenue, Ste. 500
Seattle, WA 98121
P: (206) 5220618
cody@beanlawgroup.com

s/ Valerie Macan
Valerie Macan

DECLARATION OF KAREN RIAPOS IN SUPPORT OF
DEFENDANT'S OPPOSITION TO PLAINTIFF'S
MOTION FOR SANCTIONS FOR SPOILIATION OF EVIDENCE - 3
(CAUSE NO. 2:21-CV-00754 JLR)

SEYFARTH SHAW LLP
999 Third Avenue
Suite 4700
Seattle, WA 98104-4041
(206) 946-4910